IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 9736 of 2004(H)

PETITIONER:

HIGH RANGE PLANTATIN EMPLOYEES UNION (INTUC), ELAPPARA, IDUKKI , A REGISTERED TRADE UNION REPRESENTED BY ITS GENERAL SECRETARY.

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:
----

1. UNION OF INDIA REPRESENTED BY SECRETARY TO GOVERNMENT, MINISTRY OF FINANCE, NEW DELHI.

2. THE SECRETARY, MINISTRY OF COMMERCE, NEW DELHI.

3. THE REGIONAL PROVIDENT FUNDS COMMISSIONER, REGIONAL OFFICE, KOTTAYAM.

4. THE SYNDICATE BANK, COCHIN-2.

5. THE RECOVERY OFFICER, THE DEBTS RECOVERY TRIBUNAL, ERNAKULAM.

6. RAM BAHADUR THAKUR LTD., WILLINGDON ISLAND, KOCHI-3, REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.S.R.DAYANANDA PRABHU --- R4
SRI.K.S.RAJESH
SRI.N.N. SUGUNAPALAN, SC, P.F.
SRI. MURALEEDHARAN –R1 & R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 9736/2004 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE JUDGMENT DT. 5/1/2004 IN OP NO. 29176/02.

EXT.P2. COPY OF THE PROCLAMATION FOR SALE ISSUED 5TH RESPONDENT DT. 16/2/2004.

True copy

tga

PIUS C. KURIAKOSE,J.

- -

W.P.(C) No.9736 of 2004

- -

Dated: 6th June, 2007

JUDGMENT

In this proceeding under Article 227 of the Constitution the petitioner- Trade Union challenges Ext.P2 order under which the Recovery Officer attached to the Debts Recovery Tribunal has proclaimed portions of a plantation in which they are working for sale. Even though an interim order of stay was sought for in respect of the sale proposed, this court not inclined to pass any interim orders. The Writ Petition in all probability has become infructuous. Even otherwise I do not know how a trade union representing the plantation workers can seek to intervene in the recovery proceedings initiated by the 5th respondent-Recovery Officer for recovery of a certified debt. Accordingly, the Writ Petition will stand dismissed. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**